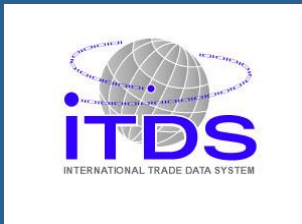




**NOAA  
FISHERIES**



# National Marine Fisheries Service International Trade Data System (ITDS) Implementation Rule

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*Office of international Affairs and Seafood Inspection*

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# Overview of Presentation

Introduction to ITDS (5 min.)

Overview of the 3 NMFS programs proposed for ITDS integration –(5 min.)

Description of transition from current entry processing to future in ITDS – (15 min.)

- Consolidated trade permit
- Message set requirements
- DIS requirements
- Entry processing in ACE

Responsibilities under new protocols – (5 min.)

- Importer of record
- Entry filer
- Software developer
- Need for pilot testing of Message Set and DIS for all 3 programs

Q& A – (30 min.)

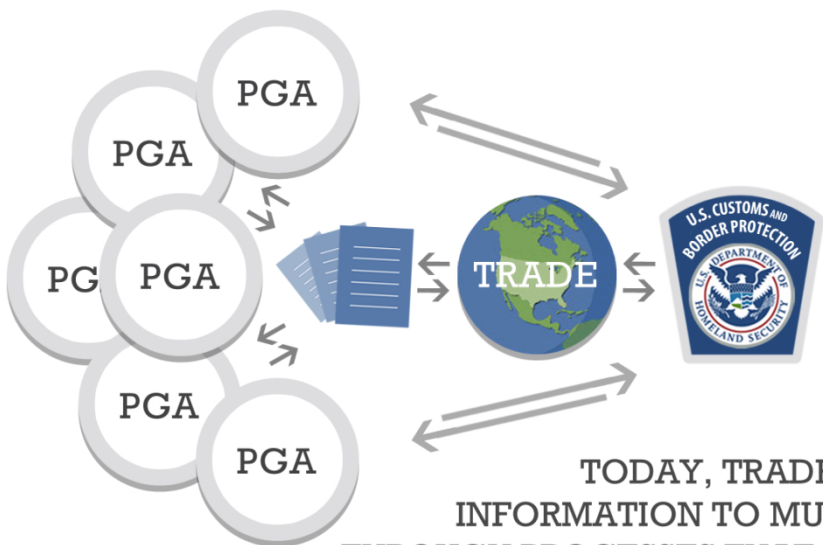
# Why is the International Trade Data System Required for NMFS?

- *Customs Modernization Act (1993)* – established national customs automation program: ACE/ITDS
- *SAFE Port Act (2006)* – mandates ACE/ITDS participation by all agencies for admissibility decisions
- *Executive Order of February 19, 2014* – Streamlining the Export-Import Process: single window by December 2016
- US imports ~ 90% of seafood, several products and/or nations subject to monitoring/embargoes

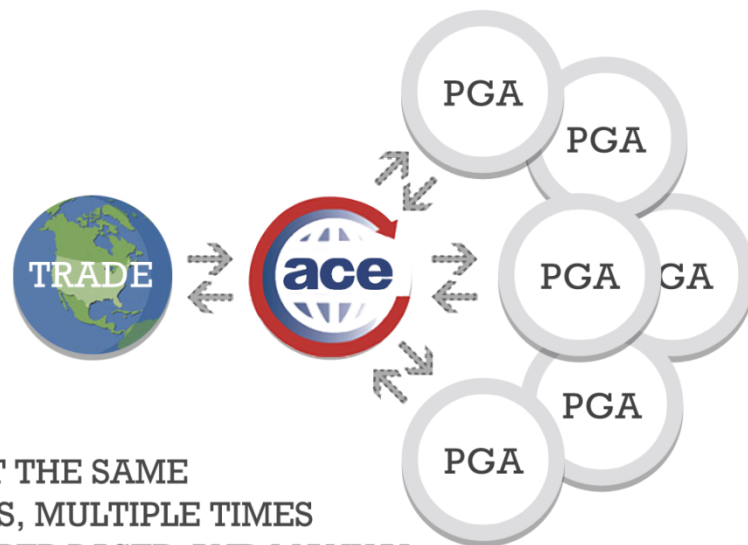


# ITDS Model – Paperless/Single Window

## CURRENT FLOW OF INFORMATION



## SINGLE WINDOW VISION



TODAY, TRADERS MUST SUBMIT THE SAME INFORMATION TO MULTIPLE AGENCIES, MULTIPLE TIMES THROUGH PROCESSES THAT ARE LARGELY PAPER BASED AND MANUAL.  
**THE SINGLE WINDOW WILL STREAMLINE THIS PROCESS.**



# The CBP ACE Countdown

<http://www.cbp.gov/trade/automated/ace-mandatory-use-dates#novdate>

## ACE Mandatory Use Dates

CBP deploying core capabilities in ACE by December 2016, as required by Executive Order. Critical for trade community to understand how they are affected and to prepare accordingly. CBP encouraging early transition to ensure readiness in advance of the mandatory dates.

**Mandatory use of ACE for all electronic manifest filing.**



**Mandatory use of ACE for all electronic entry and entry summary filing.**



Transition period begins: ACE filing of electronic entry and associated entry summary types 01, 11, 03, 51, 52 with or without PGA data is encouraged.



ACE must be used and ACS will no longer be available for filing of all electronic entries and associated entry summaries. In addition, electronic FDA, NHTSA, APHIS (Lacey) data must be filed in ACE and ACS will no longer be available.



Upon publication of the Final Rule, ACE must be used for filing AMS, APHIS Core, ATF, CDC, DCMA, DDTC, DEA, E&C, EPA, FSIS, FWS, NMFS and TTB data. Hybrid submissions will no longer be allowed.

**Mandatory use of ACE for all remaining electronic portions of the CBP cargo process.**



# Proposed Rule for NMFS ITDS

1. NMFS will use the ACE/ITDS Single Window for collecting data at entry
2. Three existing paper-based programs will be converted: HMS, AMLR, TTVP
3. Importer Permit Required; Data collected at entry via message set and document imaging system (DIS)





# Three NMFS Message Set Programs

-  Highly Migratory Species (e.g., tunas, swordfish)
-  Antarctic Marine Living Resources (AMLR)
-  NOAA 370 Tuna Tracking & Verification Program (TTVP)
  - Dolphin Protection / product labeling (Import only program)

These programs “cover” approximately 35 HTS codes. All other marine products imported and exported (over 700 HTS codes) do not require an international trade permit nor the submission of additional filing information (message set or digital imaged documents) beyond that which Customs or Census may otherwise already require.

*(Note: As part of a separate rulemaking to implement the Seafood Traceability Program recommended by the Presidential Task Force on Combating Illegal Fishing and Seafood Fraud, additional seafood products have been proposed for information collection at the point of importation. (<http://www.iuufishing.noaa.gov>).*

# Primary Products Covered by the Programs

- Tunas – Both HMS and NOAA 370 Programs
  - Swordfish – HMS Program
- Toothfish - Antarctic Marine Living Resources

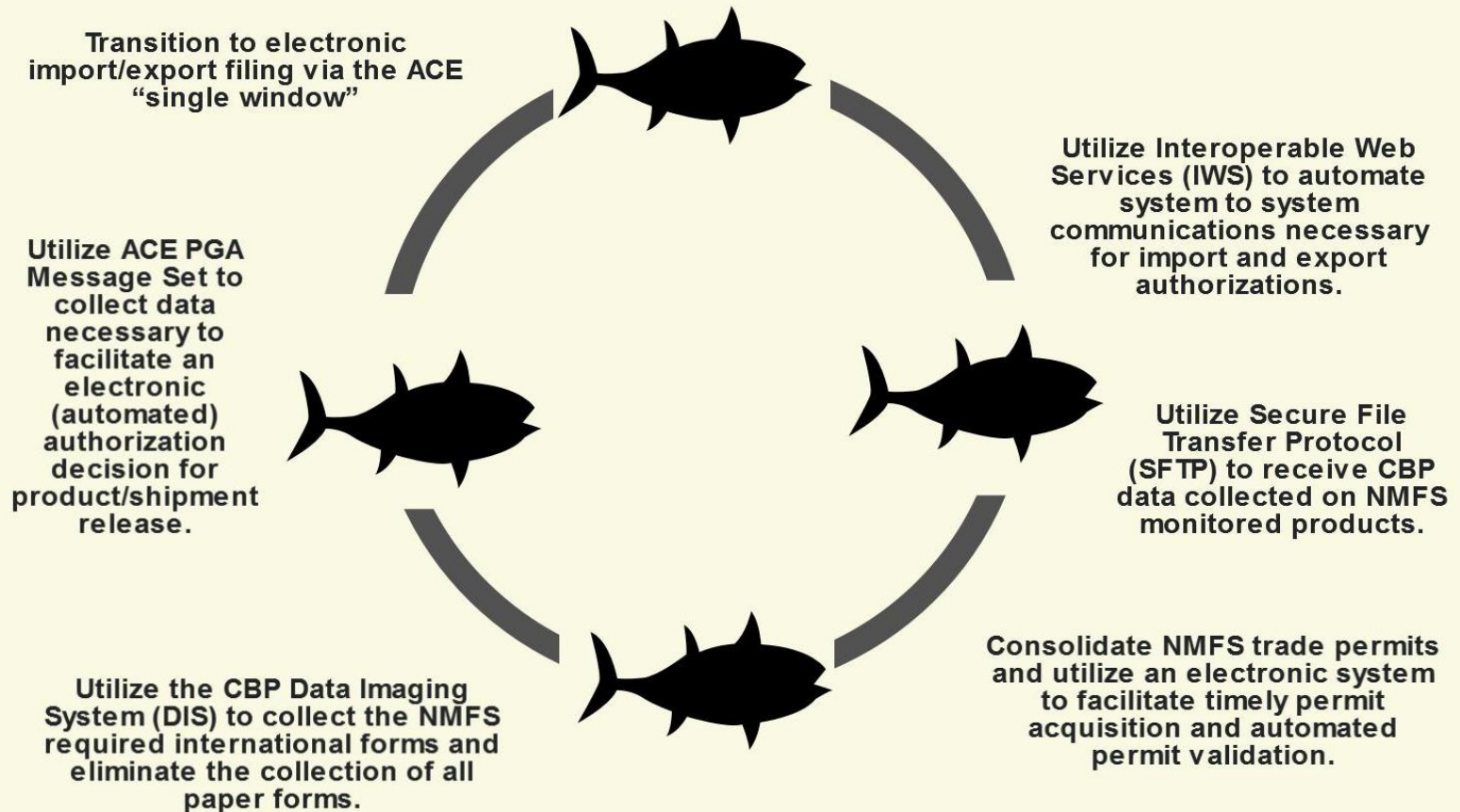
Currently, paper documents are submitted post-release directly to NMFS. The documents attest to the circumstances and conditions of the harvest event.

The NOAA Form 370 program is also used to screen yellowfin tuna imports if originating from or harvested by embargoed countries.

Under ITDS, most shipments of the three product groups above will require filing of the NMFS “Message Set” in ACE and supplemental documents through “DIS”.



# The Proposed Rule



# NOAA HMS Program; Requirements Continued

PG-01	Electronic Image Submitted	<i>“Y” indicates an image will be included ( blank for shark fins only – no image required)</i>
PG-01	Confidential Information Indicator	<i>“Y” indicates the info is confidential</i>
PG-02	Item Type	<i>“P” = Product (Product vs. component)</i>
PG-06	Source Type Code	<i>Country role; e.g. “Harvesting Country”</i>
PG-06	Geographic location ( <i>filer must provide the ocean area or areas where the shipment originated/was harvested</i> )	<i>Ocean Geographic Area Codes Use valid codes for the ocean area of catch example; North Atlantic from appendix PGA.</i>
PG-06	Processing Type Code	<i>The fishing vessel’s harvesting gear type (see code list)</i>
PG-14	Licenses, Certificates, Permits or Other (LCPO)	<i>Must show the license type as “NM3” and the NMFS HMS permit number for the importer of record– (NMFS HMS International Trade Permit) This number is 7 digits, alpha/numeric w first two characters “SE”</i>
PG-22	Importers Signed Document	<i>“Y” indicates that the importer has a copy of the required document (none required for shark fins)</i>
PG-22	Document Identifier (may be repeated multiple time for multiple documents)	<i>Include the code from the Appendix PGA for each of the specific document(s) images submitted via the Document Imaging System. At least one of the Catch, Statistical or Re-export documents listed above is required for all imports, exports or re-exports of HMS products except for shark fins. The document required is determined by the regulatory parameters involving the particular species (HTS), ocean harvest area and export/re-export status. These documents must be submitted at the time of the filing to CBP via the Document Imaging System/DIS.</i>
PG-22	Compliance Description (may be repeated multiple time for multiple documents)	<i>Enter the unique/specific number that appears on every document submitted via the DIS. This is the specific “serialized” number assigned to the individual reporting form for that specific harvest. (The unique number is entered in positions 51 through 80 and must correspond to the document identifier for each PG Record 22 in positions 6-12) (There are 30 characters to utilize in space 51 through 80.)</i>
PG-31	Commodity Harvesting Vessel Character Type Code	<i>Flag(Country) of the harvest vessel (two digit ISO code from appendix B)</i>





# Toothfish Program; Requirements Overview

NMFS Antarctic Marine Living Resources (AMLR) Program Requirements (Primarily Fresh or Frozen Toothfish Imports)		
General NMFS Requirements and Restrictions	Consult CBP resources to determine which products/Harmonized Tariff Schedule (HTS) codes are regulated by the National Marine Fisheries Service. See also the Federal Register, United States Code (USC), and Code of Federal Regulations (CFR.)	
	An NMFS AMLR Permit is Required for all toothfish imports	Permits can be obtained at <a href="http://www.xxxx.gov">www.xxxx.gov</a>
	All <b>Fresh</b> toothfish must be accompanied by Dissostichus Catch Documents (DCD)	(almost all fresh product is air shipped)
	All <b>Frozen</b> toothfish <b>requires NMFS Pre-Approval</b>	
Document Images Required	DCDs for all fresh toothfish	
Mandatory PG-Records	PG-OI	Commercial Description of Shipment (product)
	PG-01	Partner Government Agency (PGA)
	PG-02	Designation of items as “product” or “component”
Conditional PG-Records required by NMFS	PG-06	Ocean Area of Catch
	PG-14	Permit & Authorizing Document Data (toothfish pre-approval number)
	PG-17	Species Description
	PG-31	Harvest Vessel Flag Country (Vessel Name & Length Overall if required)





# NOAA 370 Program; Requirements Overview

NMFS Tuna Tracking and Verification Program (TTVP / NOAA 370) Import Requirements (Processed or Frozen Tuna Imports; includes all tuna <i>except</i> fresh tuna)		
General NMFS Requirements and Restrictions	Consult CBP resources to determine which products/Harmonized Tariff Schedule (HTS) codes are regulated by the National Marine Fisheries Service. See also the Federal Register, United States Code (USC), and Code of Federal Regulations (CFR.) (370 program is not required/applicable to fresh tuna)	
	NMFS International Trade Permit (ITP) Required ( <i>future – pending rule making</i> )	
	Note: For <u>all</u> Bluefin tuna and all frozen Big Eye tuna, see <u>also</u> NMFS HMS program for additional requirements	
Document Images Required	Images of NOAA 370 Fisheries Certificate(s) of Origin, including <u>all/multiple</u> copies of the 370 as necessary to document the harvest of <u>all</u> products in the shipment per section 4 of the Certificate.	
	All supplemental certifications (statements) attesting to the circumstances pertaining to the harvest per section 5 of the Certificate(s)	Potential supplemental/conditional certifications include; <ul style="list-style-type: none"> <li>• High Seas Driftnet</li> <li>• Captain's</li> <li>• Observer's</li> <li>• International Dolphin Conservation Program (IDCP) Member Nation Statement</li> </ul>
Mandatory PG Records	PG-01	Commercial Description of Shipment (product)
	PG-01	Partner Government Agency (PGA)
	PG-02	Designation of items as "product" or "component"
Conditional PG-Records required by NMFS	PG-06	Ocean Area of Catch and Gear Type
	PG-14	Permit Information (future requirement)
	PG-17	Species Description
	PG-22	Document Identifier (NMFS form names and unique document numbers) for all imaged documents
	PG-31	Harvest Vessel Flag Country (Vessel Name & Length Overall if required)







# Responsibilities Under New Protocols

- Importer of Record: Obtain Fisheries International Trade Permit and provide data/documents to customs broker
- Entry Filer: submit data and documents via ACE and DIS
- Software Developer: certify message set software in ACE

➡ Immediate need for pilot testing of Message Set and DIS for all 3 programs; contact CBP client representatives

# Resources and Comments

## ITDS web links -

[http://www.nmfs.noaa.gov/ia/slider\\_stories/2015/12/itds\\_proposed\\_rule.html](http://www.nmfs.noaa.gov/ia/slider_stories/2015/12/itds_proposed_rule.html)

<http://www.itds.gov/xp/itds/tsn/index.html>

<http://www.cbp.gov/trade/ace/catair>

## Comments on Rule—

<http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2009-0124>

or search on [www.regulations.gov](http://www.regulations.gov) for “0648-AX63”

## Pilot Testing –

[http://apps.cbp.gov/csms/viewmssg.asp?Recid=20771&page=&srch\\_ar gv=15-000344&srchtype=all&btype=&sortby=&sby=](http://apps.cbp.gov/csms/viewmssg.asp?Recid=20771&page=&srch_ar gv=15-000344&srchtype=all&btype=&sortby=&sby=)







*Questions and Comments? Contact:*

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